

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

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| MARK H. WITTSTADT | * |
| SELECT PORTFOLIO SERVICING, INC. | |
| GERARD WILLIAM WITTSTADT, JR. | * |
| Substitute Trustees | * |
| | * |
| Plaintiffs | * |
| | * |
| v. | Civil Action No. JKB-14-3852 |
| | * |
| DAVE LLEWELLYN DIXON | |
| JULIANA KOFFA DIXON | * |
| | * |
| Defendants | * |
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MEMORANDUM AND ORDER

This case was remanded to Maryland state court for lack of subject-matter jurisdiction in federal court. (ECF Nos. 9, 10.) Defendants have filed an objection to the Court's remand order, and they say they did not receive a copy of the Court's filings in this regard. (ECF No. 12.) The Court will construe their objection as a motion for reconsideration.

Defendants' only argument is that one of the Plaintiffs is not a Maryland citizen and, implicitly, therefore, diversity jurisdiction exists. Their argument has no merit. As noted in the Court's earlier opinion, some of the Plaintiffs appear to be Maryland citizens, as are Defendants. For diversity jurisdiction to exist, *all* plaintiffs must be diverse from *all* defendants. *See Central West Virginia Energy Co., Inc. v. Mountain State Carbon, LLC*, 636 F.3d 101, 103 (4th Cir. 2011) ("With the exception of certain class actions, Section 1332, [Title 28, United States Code,] requires complete diversity among parties, meaning that the citizenship of every plaintiff must be different from the citizenship of every defendant," (citing *Caterpillar, Inc. v. Lewis*, 519 U.S. 61, 68 (1996)). Diversity jurisdiction does not exist in this case.

The Court hereby DENIES Defendants' motion for reconsideration (ECF No. 12). The Clerk shall send a copy of this Memorandum and Order to Defendants at the address they have provided to the Court: 10013 Old Frederick Road, Ellicott City, Maryland 21042. The Clerk shall also resend a copy of the Court's Memorandum and Order dated December 30, 2014 (ECF Nos. 9 & 10), to Defendants at the same address.

SO ORDERED.

DATED this 2nd day of February, 2015.

BY THE COURT:

/s/
James K. Bredar
United States District Judge